

AO 257 (Rev. 6/78)

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT
 BY: ☐ COMPLAINT ☐ INFORMATION ☒ INDICTMENT
☐ SUPERSEDING
OFFENSE CHARGED

18 U.S.C. § 2252(a)(4)(B) - Possession of Child Pornography

- ☐
- Petty
-
- ☐
- Minor
-
- ☐
- Misdemeanor
-
- ☒
- Felony

PENALTY: SEE ATTACHMENT.

Name of District Court, and/or Judge/Magistrate Location

NORTHERN DISTRICT OF CALIFORNIA

OAKLAND DIVISION

DEFENDANT - U.S.

KENNETH BRESLIN

DISTRICT COURT NUMBER

CR16-00515

YGR

PROCEEDING

Name of Complainant Agency, or Person (& Title, if any)

Department of Homeland Security

☐ person is awaiting trial in another Federal or State Court, give name of court

☐ this person/proceeding is transferred from another district per (circle one) FRCrp 20, 21, or 40. Show District

☐ this is a reprosecution of charges previously dismissed which were dismissed on motion of:

☐ U.S. ATTORNEY ☐ DEFENSE

SHOW DOCKET NO.

☐ this prosecution relates to a pending case involving this same defendant

MAGISTRATE CASE NO.

☐ prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under

Name and Office of Person

Furnishing Information on this form BRIAN J. STRETCH

☒ U.S. Attorney ☐ Other U.S. Agency

Name of Assistant U.S. Attorney (if assigned)

CHRISTINA McCALL

DEFENDANT**IS NOT IN CUSTODY**

Has not been arrested, pending outcome this proceeding.

 1) ☐ If not detained give date any prior summons was served on above charges
2) ☐ Is a Fugitive3) ☒ Is on Bail or Release from (show District)

Contra Costa County

IS IN CUSTODY4) ☐ On this charge5) ☐ On another conviction
☐ Federal ☐ State
6) ☐ Awaiting trial on other charges

If answer to (6) is "Yes", show name of institution

 Has detainer been filed? ☐ Yes ☐ No

If "Yes" give date filed

DATE OF ARREST

Month/Day/Year

Or... if Arresting Agency & Warrant were not

DATE TRANSFERRED TO U.S. CUSTODY

Month/Day/Year

☐ This report amends AO 257 previously submitted
ADDITIONAL INFORMATION OR COMMENTS**PROCESS:**
☐ SUMMONS ☐ NO PROCESS* ☒ WARRANT

Bail Amount: No bail

If Summons, complete following:

☐ Arraignment ☐ Initial Appearance

Defendant Address:

* Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

Date/Time:

Before Judge:

Comments:

PENALTY SHEET ATTACHMENT FOR KENNETH BRESLIN

COUNT ONE: 18 U.S.C. § 2252(a)(4)(B) – Possession of Child Pornography:

If Visual Depictions **Do Not** Involve Pre-Pubescent Minor:

Maximum Imprisonment:	10 years
Maximum Fine:	\$250,000
Maximum Supervise Release:	Life
Minimum Supervised Release:	5 years
Special Assessment:	\$5,000 (18 U.S.C. § 3014)

If Visual Depictions **Do** Involve Pre-Pubescent Minor:

Maximum Imprisonment:	20 years
Maximum Fine:	\$250,000
Maximum Supervise Release:	Life
Minimum Supervised Release:	5 years
Special Assessment:	\$5,000 (18 U.S.C. § 3014)

United States District Court

FOR THE
NORTHERN DISTRICT OF CALIFORNIA

VENUE: Oakland

CR16-00515 YGR

UNITED STATES OF AMERICA,

v.

KENNETH BRESLIN,

FILED

DEC 15 2016

SUSAN Y. SOONG
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND

DEFENDANT.

INDICTMENT

18 U.S.C. § 2252(a)(4)(B) – Possession of Child Pornography;
18 U.S.C. §§ 2253(a)(1) and (a)(3);
28 U.S.C. § 2461(c) – Criminal Forfeiture

A true bill.

[Signature]

Foreman

Filed in open court this 15th day of December
2016

[Signature]

Clerk

Bail, \$

[Signature] no bail warrant

BRIAN J. STRETCH (CABN 163973)
United States Attorney

FILED

DEC 15 2016

SUSAN Y. SOONG
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

KENNETH BRESLIN,

Defendant.

NO.

VIOLATION: 18 U.S.C. § 2252(a)(4)(B) –
Possession of Child Pornography; 18 U.S.C. §§
2253(a)(1) and (a)(3); 28 U.S.C. § 2461(c) – Criminal
Forfeiture

OAKLAND VENUE

INDICTMENT

The Grand Jury charges:

COUNT ONE: (18 U.S.C. § 2252(a)(4)(B) – Possession of Child Pornography)

The Grand Jury charges:

From a date unknown to on or about October 5, 2016, in the Northern District of California, the
defendant,

KENNETH BRESLIN,

did knowingly possess and knowingly access with the intent to view at least one matter which contained
a visual depiction that had been shipped and transported using a means and facility of interstate and
foreign commerce and in and affecting interstate and foreign commerce, and which was produced using

1 materials that had been mailed, shipped and transported in interstate commerce, by any means including
2 by computer, the production of which involved the use of a minor engaging in sexually explicit conduct,
3 and which depiction was of such conduct, in violation of Title 18, United States Code, Section
4 2252(a)(4)(B).

5 FORFEITURE ALLEGATION: (18 U.S.C. § 2428 – Criminal Forfeiture)

6 Upon conviction of any of the offenses alleged in Count One, the defendant,
7 KENNETH BRESLIN,
8 shall forfeit to the United States pursuant, to Title 18, United States Code, Section 2428(1), any
9 property, real or personal, that was used or intended to be used to commit or to facilitate the commission
10 of such violation; and (2) any property, real or personal, constituting or derived from any proceeds that
11 such person obtained, directly or indirectly, as a result of such violation, including but not limited to the
12 following items:

- 13 a. Toshiba Laptop, Model C55T, Serial # 9F257028C, black with silver lettering
14 (Contra Costa D.A. (CCDA) Item #1);
- 15 b. Toshiba hard Disk Drive (“HDD”), 1Tb, Model MQ01ABD100, S/N
16 957MW4YST (CCDA Item #3);
- 17 c. Toshiba Laptop, model # L25-S1216, S/N Z5118470W (CCDA Item #6);
- 18 d. Toshiba HDD, Model # MK5065GSXN, S/N 816UT1QET, 8gb (CCDA Item #9);
- 19 e. Memorex Traveldrive USB 2.0 thumb drive, 512mb, gray in color (CCDA Item
20 #11).

21 //

22 //

23 //

24 //

25 //

26 //

27 //

28 //

1 All pursuant to Title 18, United States Code, Sections 2423 and 2428; Title 21, United States Code,
2 Section 853; and the procedures set forth in Federal Rule of Criminal Procedure 32.2.

3
4 DATED: 12/15/16

A TRUE BILL.

5
6 

FOREPERSON

7 BRIAN J. STRETCH
8 United States Attorney

9 
10 ELISE BECKER

Deputy Chief, Criminal Division

11
12 (Approved as to form: )
13 AUSA CHRISTINA MCCALL